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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,891	01/06/2001	Arif A. Merchant	10004029-1	4110

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EXAMINER
ZHEN, WEI Y

ART UNIT	PAPER NUMBER
2122	

DATE MAILED: 06/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _06 January 2001_ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-27_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-27_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-27 are pending.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Dolby et al, U.S. Patent No. 5,630,025.

As per claim 1, Dolby et al discloses configuring a data storage system, using a high-level language description to configure the data storage system (col. 2 lines 30-34).

As per claim 2, Dolby et al discloses the high level language specifies configuration goals (col. 4 lines 24-29).

As per claim 3, Dolby et al discloses the high level language description includes a declarative language (col. 4 lines 51-55).

As per claim 4, Dolby et al discloses the high-level language includes generic configuration commands (col. 4 lines 30-51).

Claim 13 is rejected for the reasons et forth in the rejection of claims 1 and 2.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 5-10, 12, 14-24, 26, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Dolby et al, U.S. Patent No. 5,630,025 in view of Motoyama et al, U.S. Patent No.

6,578,090.

As per claim 5, Dolby et al does not disclose explicitly the high-level language description

includes device/host-independent commands.

However, Motoyama et al discloses the high-level language description includes

device/host-independent commands (col. 2 lines 31-35).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time

the invention was made to incorporate the teaching of Motoyama et al into the teaching of Dolby

et al to have the high-level language description includes device/host-independent commands. The

modification would be obvious because one of ordinary skill in the art would be motivated to

provide efficient method to use the description for various types of systems.

As per claim 6, Dolby et al does not disclose explicitly translating the high-level language

description into device/host specific commends.

However, Motoyama et al discloses translating the high-level language description into

device/host specific commends (col. 2 lines 31-35).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time

the invention was made to incorporate the teaching of Motoyama et al into the teaching of Dolby

et al to translate the high-level language description into device/host specific commends. The

modification would be obvious because one of ordinary skill in the art would be motivated to

provide efficient method to use the description for various types of systems.

Claim 7 is rejected for the reason set forth in the rejection of claim 6.

As per claim 8, Dolby et al does not disclose explicitly that the high-level language

description is translated into device/host independent commands and the device/host independent

commands are translated into device/host specific commands.

Official Notice is taken that the high-level language description is translated into

device/host independent commands and the device/host independent commands are translated into

device/host specific commands were well known in the art at the time the invention was made.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time

the invention was made to incorporate the teaching of the well known knowledge into the system

of Motoyama et al and Dolby et al to have the high-level language description be translated into

device/host independent commands and the device/host independent commands be translated into

device/host specific commands The modification would be obvious because one of ordinary skill

in the art would be motivated to provide efficient method to use the generic device/host

independent command for various types of systems.

Claim 9 is rejected for the reason set forth in the rejection of claim 8.

As per claim 10, Dolby et al does not explicitly disclose performing rule checking as

claimed.

Official Notice is taken that performing rule checking was well known in the art at the

time the invention was made.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time

the invention was made to incorporate the teaching of the well known knowledge into the system

of Motoyama et al and Dolby et al to perform the rule checking. The modification would be

obvious because one of ordinary skill in the art would be motivated to provide efficient method to

ensure an correct and accurate configuration.

As per claim 12, Dolby et al does not explicitly disclose translating....into device specific

queries, and generating commands from responses to the queries.

Official Notice is taken that translating....into device specific queries, and generating

commands from responses to the queries was well known in the art at the time the invention was

made.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time

the invention was made to incorporate the teaching of the well known knowledge into the system

of Motoyama et al and Dolby et al to translate....into device specific queries, and generate

commands from responses to the queries. The modification would be obvious because one of

ordinary skill in the art would be motivated to provide efficient method to generate configuration

commands that is tailored to meet the requirement of the specific system.

As per claim 14, Dolby et al and Motoyama et al do not explicitly disclose sending...to a

host as claimed.

Official Notice is taken that sending...to a host as claimed was well known in the art at the

time the invention was made.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time

the invention was made to incorporate the teaching of the well known knowledge into the system

of Motoyama et al and Dolby et al to send...to a host as claimed. The modification would be

obvious because one of ordinary skill in the art would be facilitates the communications between

various types of systems.

Claim 15 is rejected for the reason set forth in the rejection of claim 8.

As per claim 16, Motoyama et al disclose executing the device/host specific commands to

configure the data storage device (col. 2 lines 31-35, note that the machine language are

inherently executed).

Claims 17, 18, 20, 21, 22, 23, 24, 26 are rejected for the reason set forth in the rejections

of claims 11, 10, 5, 5, 7, 8, 10, 12 respectively.

As per claim 19, Dolby et al and Motoyama et al do not explicitly disclose a disk array.

Official Notice is taken that a disk array was well known in the art at the time the

invention was made.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time

the invention was made to incorporate the teaching of the well known knowledge into the system

of Motoyama et al and Dolby et al to have a disk array. The modification would be obvious

because one of ordinary skill in the art would be motivated to apply the configuration tool to

various types of systems, including disk array.

Claim 27 is rejected for the reason set forth in the rejection of claims 1 and 6.

4.   Claims 11 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dolby et

al, U.S. Patent No. 5,630,025 in view of Motoyama et al, U.S. Patent No. 6,578,090 further in

view of Lebee, U.S. Patent No. 6,108,744.

As per claim 11, Dolby et al and Motoyama et al don't explicitly disclose specific

commands are generated only for device/host parameter that should be changed.

However, Lebee disclose specific commands are generated only for device/host parameter

that should be changed (col. 3 lines 45-60).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time

the invention was made to incorporate the teaching of Lebee into the system of Motoyama et al

and Dolby et al to have specific commands be generated only for device/host parameter that

should be changed. The modification would be obvious because one of ordinary skill in the art

would be motivated to provide efficient method to reduce the times associated with generating

host specific commands by reusing generic commands.

Claim 25 is rejected for the reason set forth in the rejection of claim 11.
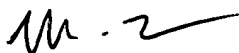

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

6.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Wei Zhen whose telephone number is (703)305-0437.

The examiner can normally be reached on Monday-Thursday from 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor

Greg Morse can be reached at (703) 308-4789. The fax numbers for this group are (703)746-

7239 (official fax), (703)746-7240 (non-official/draft), (703)746-7238 (after-final).

Any inquiry of general nature or relating to the status of this application or proceeding

should be directed to the group receptionist whose telephone number is (703)305-9600.

Wei Zhen

Patent Examiner

Art Unit 2122

6/13/2003